

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C. 20436

In the Matter of)
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CERTAIN PLASTIC MOLDING MACHINES)
WITH CONTROL SYSTEMS HAVING)
PROGRAMABLE OPERATOR INTERFACES)
INCORPORATING GENERAL PURPOSE)
COMPUTERS AND COMPONENTS)
THEREOF II)
_____)

Investigation No. 337-TA-462

NOTICE OF DECISION NOT TO REVIEW AN INITIAL DETERMINATION GRANTING
A JOINT MOTION TO TERMINATE INVESTIGATION WITH RESPECT TO FOUR
RESPONDENTS ON THE BASIS OF A SETTLEMENT AGREEMENT

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (ID) (Order No. 8) issued on October 17, 2001, by the presiding administrative law judge (ALJ) in the above-captioned investigation. The subject ID granted the joint motion of complainant Milicron, Inc. and four respondents to terminate the investigation with respect to the four respondents on the basis of a settlement agreement.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW, Washington, D.C. 20436, telephone 202-205-3104. Copies of all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol.public>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation August 23, 2001, based on a complaint filed by Milicron Inc. that alleged violations of section 337 violations in the importation, sale for importation, and sale after importation of certain plastic molding machines and components therefor that infringed U.S. Patent No. 5,062,052, as amended by Reexamination Certificate B1 962,052. 66 Fed Reg. 44374. Eleven respondents were named in the notice of investigation. Id. On October 1, 2001, complainant Milicron and respondents Automata S.p.A., Cannon S.p.A., Sandretto Industrie S.p.A., and Sandretto USA, Inc.. (collectively, Sandretto) filed a joint motion to terminate the investigation as to Sandretto on the basis of a confidential settlement agreement and a non-exclusive licensing agreement (the Confidential Agreement) between Milicron and Sandretto. The motion represented that the Confidential Agreement is fully effective and has been executed by the representatives of Milicron and Sandretto. On October 5, 2001, the Commission investigative attorney filed a response in support of the joint motion, noting that he was unaware of any public interest concern militating against the termination of the investigation as to the Sandretto respondents based on the confidential agreement. No party opposed the joint motion to terminate.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and Commission rule 210.42, 19 C.F.R. § 210.42.

By order of the Commission.

Donna R. Koehnke
Secretary

Issued: November 7, 2001